

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SEKSAN KUMTONG,

Defendant

Case No.: 3:20-mj-00054-MMS



FEB 02 2020

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Brenden Ryan, Federal Bureau of Investigation Special Agent, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. This affidavit is submitted in support of a criminal complaint against SEKSAN KUMTONG for violating 49 U.S.C. § 46504 – Interference with Flight Crew Members and Attendants.
2. I am familiar with the information contained in this affidavit based upon the investigation I have conducted, in conjunction with other federal, state, and local law enforcement officials, which has included exchanging information with law enforcement officers and others; reports, database records and other information acquired during this investigation; and reviewing evidence obtained therefrom; and interviewing witnesses.
3. Because I submit this affidavit for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me or the government. I have only included those facts necessary to establish probable cause to believe that KUMTONG committed a violation of 49 U.S.C. § 46504.

4. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI), and have been since May 2017. Since that time, I have been assigned investigative responsibilities in the areas of violent gangs and Counterintelligence in the FBI Anchorage Field Office, where I am currently assigned to the Counterintelligence squad. The Anchorage Field Office is located within the District of Alaska. During this assignment, I have focused on Counterintelligence but have also worked or assisted in drug, violent gang, criminal enterprise, bank robbery, human trafficking, child pornography, and felon in possession of a weapon investigations.

PROBABLE CAUSE

5. United Airlines' Flight 32 was a direct flight from Los Angeles International Airport (LAX) to Narita, Japan.
6. On February 2, 2020, after departing LAX, United Flight 32 flight attendants observed a passenger acting strangely. The passenger was determined by flight crewmembers to be SEKSAN KUMTONG (hereinafter "KUMTONG"). KUMTONG, after departing LAX, was observed by crewmembers banging on occupied lavatory doors, attempting to push pass other passengers, or push passengers out of occupied lavatories, shouting and acting unruly. KUMTONG was addressed by a United Flight 32 crewmember who offered another lavatory to use. KUMTONG then tried to push the flight attendant but missed. KUMTONG was informed not to yell and not to touch the flight attendant.
7. After at least one alcoholic drink, and continued behavioral issues, United Flight 32 crew decided to suspend alcoholic services to KUMTONG.

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8. KUMTONG fell asleep at his seat. After waking up, KUMTONG went to the galley requesting additional alcoholic drinks. KUMTONG was denied and became further agitated. KUMTONG continued to be loud and yell at crewmembers, causing a request for help from the lead flight attendant. United Flight 32 lead flight attendant addressed KUMTONG, asked him to slow down on the alcoholic beverages, and to stop yelling. The lead flight attendant was then struck in the face by KUMTONG. KUMTONG grabbed the lead flight attendant by the neck and tie and attempted to push the lead flight attendant to the floor. While doing this, KUMTONG yelled obscenities and "I will kill you" to the lead flight attendant.

9. Several passengers of United Flight 32 responded to this incident after hearing a female voice yelling for help. KUMTONG continued to swear, shout and act violently while passengers and crewmembers restrained KUMTONG.

10. United Airlines Flight 32 was then diverted from its original course to Narita, Japan to Anchorage, Alaska. United Flight 32 was met at Ted Stevens Anchorage International Airport by Ted Stevens Anchorage International Airport Police, U.S. Customs and Border Protection, TSA Federal Air Marshal Service, and the Federal Bureau of Investigation at approximately 4:45 p.m. on February 2, 2020.

CONCLUSION

11. Based upon the information above, your affiant submits that there is probable cause to believe that SEKSAN KUMTONG interfered with flight crew operations by not following instructions provided to him by the flight crew, assaulting crew member(s) and

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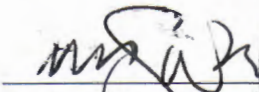
causing United Airlines Flight 32 to be diverted from its original flight plan to Anchorage, Alaska in violation of 49 U.S.C. § 46504 – Interference with Flight Crew Members and Attendants.

Respectfully submitted,



Brenden Ryan
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me this 4th day
of February 2020:



United States Magistrate Judge
District of Alaska
Anchorage, Alaska



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